

CALIFORNIA COASTAL COMMISSION

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Filed: 6/20/02
180th Day: 12/17/02
270th Day: 3/17/03
Staff: MS-LB
Staff Report: 9/16/02
Hearing Date: September 10, 2002
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-02-134

APPLICANT: City of Redondo Beach

PROJECT LOCATION: Intersection of Pacific Coast Highway (PCH), Herondo Street (190th Street) and Catalina Avenue, Redondo Beach (Los Angeles County)

PROJECT DESCRIPTION:

Extension of Catalina Avenue to the north by 1,500 linear feet connecting it to the intersection of Pacific Coast Highway, Herondo Street (190th St.) and Catalina Avenue in the City of Redondo Beach. Landscaping, sidewalk, signal improvements and removal of an existing entryway arch, sign and picnic bench are also proposed.

LOCAL APPROVALS RECEIVED:

1. City Council approval of proposed FY 2000/05 Capital Improvement Program, June 20, 2000
2. City Council adopted FY 2001/06 Five-Year Capital Improvement Program, June 19, 2001
3. City Council approval of FY 2002/03 proposed budget and proposed Five-Year Capital Improvement Program 2002/2007, June 18, 2002

SUBSTANTIVE FILE DOCUMENTS:

1. City of Redondo Beach Land Use Plan
 2. Heart of the City Environmental Impact Report, March 19, 2002
 3. Chronology Catalina/PCH Intersection Improvement Project, received August 13, 2002 (Outline - Exhibit 1)
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SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to public access and water quality.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-02-134 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be

pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Erosion and Drainage Control

- A. **PRIOR TO ISSUANCE OF THE PERMIT AMENDMENT**, the applicant shall submit for the review and approval of the Executive Director, an Erosion and Drainage Control Plan for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. The plan shall be in substantial conformance with the following requirements:
 1. BMPs shall include the use of trash grates and vegetated swales to treat and infiltrate runoff.
 2. The erosion and drainage control measures shall be required to be in place and operational on the project site such that the goals stated in Section (a) are carried out and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction and thereafter.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Construction BMPs**

The permittee shall comply with the following construction-related requirements:

- (a) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity;
- (b) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain or be subject to tidal erosion and dispersion;
- (c) All trash and debris shall be disposed in the proper trash or recycling receptacle at the end of every construction day.
- (d) Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- (e) Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
- (f) The discharge of any hazardous materials into any receiving waters shall be prohibited;
- (g) A pre-construction meeting should be held for all personnel to review procedural and BMP/GHP guidelines;
- (h) All BMPs shall be maintained in a functional condition throughout the duration of the project.
- (i) Debris shall be disposed at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is required.

3. **Encroachment Permit**

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval, evidence of an encroachment permit or exemption from ***California Department of Transportation***. The encroachment permit or exemption shall evidence the ability of the applicant to develop ***in connection with Pacific Coast Highway, a state highway***, as conditioned herein. The applicant shall inform the Executive Director in writing of any changes to the project required by the ***California Department of Transportation***. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal

development permit, unless the Executive Director determines that no amendment is required.

4. City of Redondo Beach Approval:

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide to the Executive Director evidence of local government approval of the proposed project in the form of a copy of a permit issued by the appropriate approval authority of the ***City of Redondo Beach***, or letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director in writing of any changes to the project required by the ***City of Redondo Beach*** approval. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

5. Timing of Construction

By acceptance of this permit, the applicant agrees to minimize adverse impacts to public use of PCH/Catalina Avenue at the PCH, Herondo (190th St.) and Catalina Avenue intersection resulting from construction activities as required below:

- (A) For the period starting the day before the Memorial Day weekend (Friday) and ending on Labor Day of any year, no construction shall occur.
- (B) Construction shall occur only during the period starting the day after Labor Day and ending the day before the Memorial Day weekend of any year (Thursday). The existing southbound right-turn lane on PCH to Catalina Avenue shall remain open for the public during construction. In the event that the existing pedestrian walkways cannot remain open for public use during construction, a detour route shall be provided.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and History

The City of Redondo Beach proposes to extend Catalina Avenue to the north by adding 1,500 linear feet of roadway, connecting it to the intersection of Pacific Coast Highway, Herondo Street (190th St.) and Catalina Avenue in the City of Redondo Beach (Exhibit 2 and 6). Landscaping, sidewalk, signal improvements and removal of an existing entryway arch, sign and picnic bench are also proposed.

According to the project description submitted by the city engineer on May 1, 2002 and August 13, 2002 (Exhibit 3, p.3), the proposed project consists of demolition and removal

of the following: existing asphalt pavement; sidewalk, curb and gutter; and existing landscaping. An existing entryway arch, sign and picnic bench will also be removed. An existing Caltrans traffic control storage structure (approximately 100 square-feet) is to be relocated. However, it has not been decided whether it will be relocated underground or moved to another spot on the City-owned property. Construction of the new roadway will include a new five-foot wide sidewalk, new ADA ramps, new curb and gutter; a new 15-foot wide asphalt roadway and other road improvements; installation of new landscaping; striping on PCH to remove the existing southbound right-turn lane to Catalina Avenue.

As described above the project is located at the intersection of Pacific Coast Highway, Herondo Street (190th Street), and Catalina Avenue. The proposed development is located in the northern most portion of the City of Redondo Beach, to the northeast of the Redondo Beach power plant (Exhibit 4). Construction is to begin in September 2003, following Labor Day and will take approximately six months to complete. The City proposes minimal impacts to vehicle and pedestrian traffic during construction. The applicant proposes and Special Condition 5 ensures that the existing southbound PCH right-turn lane to Catalina Avenue and the existing 190th Street left-turn lane to PCH will remain in use during construction. Traffic will be diverted to avoid construction activities (especially at the ends of the new roadway) and pedestrians will be detoured from using the sidewalk on the west side of PCH between Herondo Street and Catalina Avenue. The applicant assures that all traffic control methods will conform to the latest edition of the state publication *Work Area Traffic Control Handbook*.

The City of Redondo Beach has a certified LUP (June 18, 1981). The City does not have a certified Implementation Program. On April 11, 2002 the City submitted a land use plan amendment and implementation ordinance relating to the Pier-Harbor area, power generating plant site, and North Catalina Avenue corridor. On July 2, 2002 the Redondo Beach City Council formally adopted resolutions repealing their Heart of the City Specific Plan and associated General Plan amendments that had also been submitted to the Coastal Commission. But the amendments to the Coastal Land Use Plan and LCP implementing ordinance mentioned above, have not been repealed and are still pending. According to the Redondo Beach City Engineer, the proposed project was established prior to the drafting of Heart of the City Specific Plan but was included in the plan because of the location at the northeast corner of the Heart of the City program area (Exhibit 3, p.1 & 4). The project did receive approval as part of the City's five-year Capital Improvement Program and was awarded funding from the Metropolitan Transportation Authority for the fiscal year 2003/04 (Exhibit 5). The proposed road improvement is before the Commission independently of Heart of the City.

B. Public Access and Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public

safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30210 requires that maximum access to the coast be provided. Section 30223 requires the reservation of upland areas that are necessary to support coastal recreation. The project will allow more efficient travel through the intersections of PCH/Herondo Street and PCH/Catalina Avenue. According to the Project Study Report dated June 23, 2000 and the traffic survey included in the Heart of the City Final Environmental Impact Report (EIR) dated March 19, 2002, the two intersections are congested during the morning and afternoon rush hours and on summer weekends with travelers driving to the beaches and harbors. The existing Level of Service (LOS), which is a qualitative description of an intersection's performance based on the average delay per vehicle, for the two intersections are F (PCH/Herondo) and D (PCH/Catalina) during peak weekday hours (Heart of the City Final EIR, March 2002) (Exhibit 7). According to the traffic study, LOS A, B, C and D are considered excellent to satisfactory service levels. LOS F, which means congested or overloaded conditions with extremely long delays, is considered unacceptable (Exhibit 8). With the proposed improvement, the LOS for both intersections is expected to improve to a Level of Service C and B, respectively.

PCH is the only major arterial street that runs north and south through the South Bay cities. Currently the slow, right-turn movement at PCH and Catalina is caused by west and southbound traffic funneling to enter Catalina Avenue just south of the PCH/190th Street intersection. Catalina Avenue is a main access route to the City's shoreline and beach recreational amenities. The applicant contends that allowing southbound vehicles to taper off of PCH, instead of turning for their entry onto Catalina Avenue will reduce congestion. The project is designed to reduce congestion on Pacific Coast Highway during peak commuter hours and it will serve to improve vehicular access to the coast on weekends as well. The project also includes a 5-foot wide pedestrian walkway on both sides of the new road. Those lanes will merge with the existing pedestrian walkways on Catalina Avenue and Pacific Coast Highway.

As mentioned previously and as required in Special Condition 5, construction will occur during the fall and winter months, avoiding disruption to weekend summer traffic when travelers are heading to the beaches and harbors. In order to avoid major impacts during construction for vehicles and pedestrians, the applicant proposes and Special Condition 5 requires that the existing right-turn lane on PCH remain open and pedestrians be offered a temporary detour route. The proposed project not only reduces traffic congestion, it will enhance public access to the beach, recreational facilities and visitor serving areas served by Pacific Coast Highway (State Highway 1). The proposed project as conditioned is consistent with the recreation and access policies of the Coastal Act.

C. Erosion and Drainage Control

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30230 of the Coastal Act states that marine resources shall be maintained, enhanced and restored when possible. Section 30231 of the Coastal Act states that the biological productivity of coastal waters, streams, wetlands, estuaries and lakes shall also be maintained, enhanced and restored when possible. The principal concern here is runoff from the project site after construction. Runoff will flow into the City of Redondo Beach's storm drain system and will ultimately drain into the Pacific Ocean. Polluted runoff negatively affects both marine resources and the public's ability to access and enjoy coastal resources. Therefore, to lessen the potential for pollutants to enter the storm drain system at the subject site, the Commission imposes Special Conditions 1 and 2, related to water quality during and following construction. By implementing the conditions, the project will be in compliance with Sections 30230 and 30231 of the Coastal Act.

D. Encroachment Permit

The City of Redondo Beach proposes to remove an existing slower ninety-degree turning lane on Pacific Coast Highway, a state highway, and construct a fifth southbound lane that will run southwest across city-owned property to merge with Catalina Avenue (Exhibit 6). The California Department of Transportation (Caltrans) is requiring the applicant to obtain an encroachment permit from the California Department of Transportation for the work proposed on Pacific Coast Highway prior to construction. According to Caltrans, any time work is done on Caltrans property including but not limited to a new access way on PCH or any change to topography, an encroachment permit is required. The Coastal Commission is imposing a prior to issuance special condition requiring the applicant to

submit to the Executive Director proof of this permit. Any changes incorporated into the project by Caltrans must be reported to the Executive Director by the applicant in the form of an amendment application unless the Executive Director determines that an amendment is not necessary.

E. Local Approval

Pursuant to Section 13053(a)(1) of the California Code of Regulations, the executive director can waive the requirement for preliminary approval by local governmental agencies. This section states:

(a) The executive director may waive the requirement for preliminary approval by other federal, state or local governmental agencies for good cause, including but not limited to:

(1) The project is for a public purpose;

The executive director concurs with the applicant that the proposed project serves a public purpose, by relieving congestion at the intersection of PCH and Herondo Street (190th Street) in City of Redondo Beach. At the local level, this proposed project received approval by City Council as part of a five-year capital improvements program (Exhibits 9 & 10) and it was included in the fiscal year 2002/03 proposed budget, which was accepted by City Council on June 18, 2002 (Exhibit 10). The project has not received individual approval, only as part of a much larger plan that includes many separate projects. According to the Engineering office and the Department of Planning, no further local approval is necessary. However, some community members believe that the proposed project still needs separate approval because it was an improvement included in the Heart of the City Plan, which was rescinded. Therefore, the Commission imposes Special Condition 4 requiring the City to provide to the Executive Director a copy of a permit issued by the appropriate approval authority of the City of Redondo Beach, if in fact one is still necessary, prior to issuance of this coastal development permit or evidence that no permit or permission is required. The executive director also finds that time constraints on funding (available in fiscal year 2003/04) for the project provides "good cause" to move forward with the coastal development permit application prior to further local government approval (Exhibit 3, p.2 & Exhibit 5).

F. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program, which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds

that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

Redondo Beach has a certified Land Use Plan, but does not have a certified Local Implementation Plan (LIP). The project site is a public right-of-way in the certified LUP. The proposed project, as conditioned, is consistent with the public access, recreation and marine resource policies of the current certified LUP, allowing the development of road improvements. Therefore, approval of this project as conditioned would not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

G. California Environmental Quality Act

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect, which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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August 29, 2002

**MEMORANDUM****TO:** COMMISSIONERS AND INTERESTED PERSONS**FROM:** DEBORAH LEE, DEPUTY DIRECTOR
SOUTH COAST DISTRICT STAFF**SUBJECT:** AGENDA ITEM Tu9d Tuesday; 5-02-134 (City of Redondo Beach)

(Deletions are marked with strike through line and additions are bold underlined.)

A. On Page 1, Project Description Section should read as follows:

Extension of Catalina Avenue to the north by 1,500 linear feet connecting it to the intersection of Pacific Coast Highway, Herondo Street (190th St.) and Catalina Avenue in the City of Redondo Beach. Landscaping, sidewalk, and signal improvements ~~and removal of an existing entryway arch, sign and picnic bench~~ are also proposed.

B. On Page 5 & 6, Section A, the first two paragraphs should read as follows:

The City of Redondo Beach proposes to extend Catalina Avenue to the north by adding 1,500 linear feet of roadway, connecting it to the intersection of Pacific Coast Highway, Herondo Street (190th St.) and Catalina Avenue in the City of Redondo Beach (Exhibit 2 and 6). Landscaping, sidewalk, and signal improvements ~~and removal of an existing entryway arch, sign and picnic bench~~ are also proposed.

According to the project description submitted by the city engineer on May 1, 2002 and August 13, 2002 (Exhibit 3, p.3), the proposed project consists of demolition and removal of the following: existing asphalt pavement; sidewalk, curb and gutter; and existing landscaping. An existing entryway arch, sign and picnic bench ~~will also be~~ were to be removed as well. However, on August 28, 2002, the Long Beach office received a letter from the City of Redondo Beach requesting that the project description not include removal of the entryway arch and sign at this time. The City wishes to submit a Coastal Development permit application for both the demolition and replacement plan for the arch at a later date. An existing Caltrans traffic control storage structure (approximately 100 square-feet) is to be relocated. However, it has not been decided whether it will be relocated underground or moved to another spot on the City-owned property. Construction of the new roadway will include a new five-foot wide sidewalk, new ADA ramps, new curb and gutter; a new 15-foot wide asphalt

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roadway and other road improvements; installation of new landscaping; striping on PCH to remove the existing southbound right-turn lane to Catalina Avenue.